

REMARKS

Claims 21-40 are pending in the application. Claims 21-40 are rejected.

The Applicants would like to clarify the record and note that in the previous response to the Office Action dated January 4, 2005, the Applicants did not submit any arguments, but rather accepted the subject matter indicated allowable by the Examiner and cancelled subject matter that was not indicated allowable. This clarification is directed to the language in paragraph 6 of the Office Action stating that the “Applicant’s arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection” since no arguments were submitted in the preceding response by the Applicants.

35 U.S.C. § 102

Claims 21, 26, 31 and 36 are rejected under 35 U.S.C. 102(e) as being allegedly anticipated by Dutta (U.S. Patent No. 6,407,986). Applicants respectfully traverse the rejection.

Claim 21 of the Applicants’ claimed invention recites a method for delivering information to a mobile station in a group communication network where the method includes encapsulating the information inside a frame, forwarding the frame to a server for delivery to the mobile station and causing the server to extract the information from the frame and deliver the information to the mobile station on a **forward common channel**.

The Applicants would like to emphasize that their claimed invention has a **“forward”** descriptive component of the channel and another **“common”** descriptive component. This is a key distinction between the applied reference and the claimed invention.

The Examiner is directed towards page 11, paragraph [0057] of the Applicants’ specification which discloses:

To reduce the PTT latency, in one embodiment, the group signaling, such as the floor-control requests, floor-control responses, and dormancy wakeup messages, may be transmitted on some available **common channels**, without waiting for dedicated traffic channels to be re-established. Such **common channels** may be always available, regardless of the state of the mobiles, and may not require being requested and reassigned each time a user wishes to initiate a group call. Therefore, the group call signaling may be exchanged even when mobiles are dormant, which may provide a means to re-establish dedicated traffic channels for the talker and listener mobiles in parallel.

Dutta fails to teach or suggest the use of any commonality of channels in the manner claimed by the Applicants nor does it teach or suggest any of the technical features specified above. Dutta refers to a forward channel only.

More specifically, in the portion of the reference emphasized by the Examiner (col. 8, lines 26-50), Dutta simply states that “The queue manager subsystem **183** retrieves user messages from the storage subsystem **182** to most efficiently fill frames of data to be transmitted via the TDM or **forward channel 161** ...”

Again, there is no teaching or suggestion in Dutta of using a **forward common channel** as claimed by the Applicants.

Therefore, for at least these reasons, it is respectfully submitted that the rejection be withdrawn and that claim 21 be allowed.

Claims 26, 31 and 36 are independent claims that recite related subject matter to independent claim 21 and should be allowed for at least the same reasons presented above regarding claim 21 as well as the additionally recited features found in these claims.

35 U.S.C. § 103

Claims 22-24, 27-29, 32-34 and 37-39 are rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Dutta in view of Wiberg et al. (U.S. Patent No. 6,628,946 B1). Applicants respectfully traverse the rejection.

The Examiner acknowledges that the primary reference (Dutta) is defective in that it fails to specifically disclose “delivering information when the mobile station is in idle state with no traffic channel.” The Examiner then applies Wiberg et al. as a secondary reference in an attempt to make up for the deficiencies of the primary reference. The Applicants respectfully submit that Wiberg et al. fails to cure the deficiencies of Dutta noted above.

Claims 22-24, 27-29, 32-34 and 37-39 are dependent claims that depend upon independent claims 21, 26, 31 and 36 respectively and should be allowed for at least the same reasons presented above regarding the independent claims as well as the additionally recited features found in the dependent claims.

Therefore, for at least these reasons, it is respectfully submitted that the rejection be withdrawn and that claims 22-24, 27-29, 32-34 and 37-39 be allowed.

Claims 25, 30, 35 and 40 are rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Dutta in view of Sayeedi (U.S. Patent Application Publication No. 2002/0145990). Applicants respectfully traverse the rejection.

The Examiner acknowledges that the primary reference (Dutta) is defective in that it fails to specifically disclose “delivering the information on the common channel in short data burst form.” The Examiner then applies Sayeedi as a secondary reference in an attempt to make up for the deficiencies of the primary reference. The Applicants respectfully submit that Sayeedi fails to cure the deficiencies of Dutta.

Claims 25, 30, 35 and 40 are dependent claims that depend upon independent claims 21, 26, 31 and 36 respectively and should be allowed for at least the same reasons presented above regarding the independent claims as well as the additionally recited features found in the dependent claims.

Therefore, for at least these reasons, it is respectfully submitted that the rejection be withdrawn and that claims 25, 30, 35 and 40 be allowed.

CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

Dated April 28, 2006

By: /Robert J. O'Connell/ Reg. No. 44,265
for John L. Ciccozzi
Reg. No. 48,984
(858) 845-2611

QUALCOMM Incorporated
Attn: Patent Department
5775 Morehouse Drive
San Diego, California 92121-1714
Telephone: (858) 658-5787
Facsimile: (858) 658-2502